

Plaintiff also requests the court reconsider its earlier denial of court appointed counsel to represent him. "Indigent civil litigants do not have a constitutional or statutory right to appointed counsel." *Edgington v. Missouri Dep't of Corrections*, 52 F.3d 777, 780 (8th Cir. 1995). The factors relevant to evaluating a request for appointment of counsel include "whether both the plaintiff and the court will benefit from the appointment of counsel, taking into account the factual and legal complexity of the case, the presence or absence of conflicting testimony, and the plaintiff's ability to investigate the facts and present his claim." *Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996).

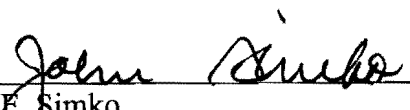
Plaintiff would likely benefit from the assistance of counsel because he is not trained in the law. The court would not benefit from the assistance of counsel at this point in the proceedings. This case is not factually complex. Plaintiff is able to investigate the facts of his claim. It is not clear at the present time whether there will be conflicting testimony in this case. The legal issues involved do not appear to be legally complex at this point in the proceedings.

IT IS ORDERED:

Sund's motion to reconsider (Doc. 15) is GRANTED, but upon reconsideration his Motion for Discovery is DENIED and his motion for appointment of counsel is DENIED without prejudice.

Dated this 13 day of August, 2014.

BY THE COURT:



John E. Simko
United States Magistrate Judge